

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:23-CV-423-RJC-DCK**

MAWULE TEPE,

Plaintiff,

v.

CLIFTON L. CORKER, et al.,

Defendants.

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ORDER

THIS MATTER IS BEFORE THE COURT on *pro se* Plaintiff's "Motion To Compel The Defendant Emily Louise Nenni To Respond[] To Interrogatories And Request For Production, And Objection To Court Orders (ECF No. 7), And Motion To Set A Hearing On This Motion To Compel And For Disqualification & To Strike (ECF No. 6) (Document No. 48) filed September 13, 2023. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion.

To the extent *pro se* Plaintiff seeks to compel discovery responses, the motion is denied pursuant to the Local Rules. The Local Rules provide in pertinent part that

parties may engage in consensual discovery at any time. However,
**Court-enforceable discovery does not commence until issues
have joined and a Scheduling Order has been entered.**

LCvR 16.1(f) (emphasis added).

No Scheduling Order has been entered in this case, and therefore, Plaintiff's motion is premature.

Regarding the request for a hearing on Plaintiff's "Motion To Challenge The Qualification Of Attorney Emily Louise Nenni And Motion To Strike..." (Document No. 6), the motion is moot. The Court issued an Order (Document No. 46) denying Plaintiff's "Motion To Challenge..." (Document No. 6) on September 11, 2023.

IT IS, THEREFORE, ORDERED that *pro se* Plaintiff's "Motion To Compel The Defendant Emily Louise Nenni To Respond[] To Interrogatories And Request For Production, And Objection To Court Orders (ECF No. 7), And Motion To Set A Hearing On This Motion To Compel And For Disqualification & To Strike (ECF No. 6) (Document No. 48) is **DENIED**.

SO ORDERED.

Signed: September 13, 2023



David C. Keesler
United States Magistrate Judge

